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October 31, 2011

**VIA FACSIMILE**

Chambers of Hon. Cathy Seibel  
United States District Judge  
The Hon. Charles L. Brieant Jr.  
Federal Building and Courthouse  
300 Quarropas Street  
White Plains, New York 10601-4150

Re: *Schlenger v. Fidelity Employer Servs. Co. LLC, et al.*  
No. 09-CV-3986 (CS)

Your Honor:

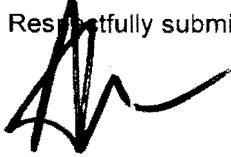
We represent defendant International Business Machines Corporation ("IBM") in this matter.

We write in response to Plaintiff's letter to the Court dated October 28, 2011, in which Plaintiff requests yet another extension of time to file the Second Amended Complaint. (On April 19, 2011, Your Honor extended Plaintiff's deadline to file a Second Amended Complaint from April 21, 2011 to August 21, 2011. On September 23, 2011, Your Honor extended Plaintiff's deadline yet again, to October 31, 2011.)

We received a copy of Plaintiff's October 28 letter to the Court only this morning, as Plaintiff apparently decided to mail us a copy of the letter to the incorrect address, rather than send it to us at the same time and/or in the same manner as she sent it to the Court three days ago. Plaintiff—a self-professed attorney with 25 years of experience (see Am. Compl. ¶ 30)—should know better.

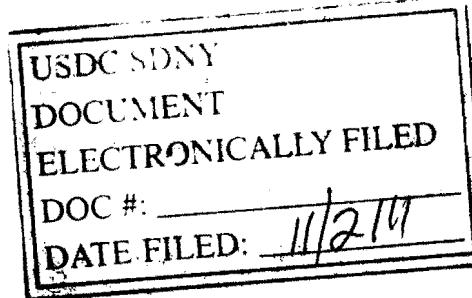
We respectfully request that Plaintiff's request for additional time be denied and that her claims against IBM be dismissed with prejudice for the reasons stated in our earlier correspondence. Plaintiff has now had more than six months to find new counsel or (given her professional background) to prosecute this case on her own behalf. At some point, IBM is entitled to some finality with respect to claims that are now many years old, and which were long ago dismissed by the Court for being unsustainable as pled.

Respectfully submitted,



Allan S. Bloom  
of PAUL HASTINGS LLP

cc: Susan Amy Schlenger (via UPS Overnight Delivery)  
*Plaintiff*



17321.00053

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**from:** Allan S. Bloom **fax:** 1(212) 319-4090 **telephone:** 1(212) 318-6377 **initials:** ASB2

**client name:** *Schlenger v. Fidelity Employer Servs. Co. LLC, et al.* No. 09-CV-3986 (CS) **client matter number:** 17321.00053  
**date:** October 31, 2011 **pages (with cover):** 2

**comments:**

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